

HON'BLE SRI G.S. SINGHVI, THE CHIEF JUSTICE

WRIT PETITION NO. 10467 OF 1989

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Between:

Smt. Prem Kumari Mehta.

.....Petitioner

And

The Municipal Corporation of Hyderabad,

Rep. by its Commissioner, Tank Bund,

Hyderabad and another.

.....Respondents

:: JUDGMENT ::

Counsel for the petitioner : Sri P. Rajagopal Reddy

Counsel for Respondent No.1 : Sri Rama Rao Ghanta,

Standing Counsel

Counsel for Respondent No. 2 : --

Dated: 10-02-2006

Feeling threatened with demolition of her residential premises bearing No. 4-1-306/5/A, situated at Troop Bazar, Hyderabad by the authorities of Municipal Corporation of Hyderabad (for short 'the Corporation'), the petitioner has invoked the jurisdiction of this Court under Article 226 of the Constitution of India.

A perusal of the record shows that while admitting the writ petition, the learned Single Judge passed an interim stay against demolition of the petitioner's property.

Learned counsel for the parties are in agreement that the property of the petitioner has not been demolished so far. Sri G. Rama Rao, learned counsel for the Corporation says that the petitioner's apprehension regarding demolition of property is not well founded and the action, if any, for demolition of the property in question will be taken only after complying with the procedure prescribed under the Hyderabad Municipal Corporation Act, 1955.

In view of the statement made by the learned counsel for the Corporation, the writ petition is disposed of with a direction that as and when the competent authority of the Corporation decides to undertake exercise for demolition of the petitioner's property, then she shall be given notice under the relevant provisions and reasonable opportunity to show cause against the proposed demolition. In that event, the petitioner shall be free to avail appropriate legal remedy.

G.S. SINGHVI, CJ

10-02-2006

ks/svs